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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:) Art Unit: 2667
)
Kirk TREADAWAY et al) Conf. No. 4350
)
Appln. No.: 09/158,778) Washington, D.C.
)
Filed: September 23, 1998) February 24, 2005
)
For: METHOD AND APPARATUS FOR) Atty.Docket: TREADAWAY=1D
TRANSPORTING ETHERNET...

NOTIFICATION OF LOSS OF ENTITLEMENT TO SMALL ENTITY STATUS (37
CFR 1.28(b) AND PAYMENT OF ADDITIONAL FEES

Honorable Commissioner for Patents
U.S. Patent and Trademark Office
Customer Service Window
Randolph Building, Mail Stop __
401 Dulany Street
Alexandria, VA 22314

Sir:

It has been brought to the attention of the undersigned that the above-identified application/patent is not entitled to claim small entity status, and that the issue fee paid on February 22, 2005, at the small entity rate was paid erroneously.

In accordance with 37 CFR §1.28(c), it is requested that the error be excused. The only fee erroneously paid at a small entity rate is the issue fee paid on February 22, 2005. The current fee amount for a non-small entity is \$1,400.00. The small entity fee actually paid was \$700.00. The total deficiency owed on February 22, 2005, is thus \$700.00. Accordingly, attached herewith please find PTO-2038 in the amount of \$700.00 to complete the issue fee payment for a large entity.

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In re of Appln. No. 09/158,778

As all of the requirements of 37 CFR §1.28 have now been met, excusal of the erroneous payment of the issue fee at the small entity rate, and acceptance of the deficiency payment attached hereto are respectfully requested.

Respectfully submitted,

BROWDY AND NEIMARK, P.L.L.C.
Attorneys for Applicant(s)

By



Sheridan Neimark

Registration No. 20,520

SN:jaa

Telephone No.: (202) 628-5197

Facsimile No.: (202) 737-3528

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